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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 ALLAN J. NICOLOW, individually and on ) Case No. 12-cv-5980-CRB  
11 behalf of all others similarly situated, )  
12 ) **[Proposed] Order (1) Granting**  
13 ) **Administrative Motion to Consider**  
14 ) **Whether Cases Should Be Related**  
15 ) **Under Civil L.R. 3-12(b); and**  
16 ) **(2) Re-Assigning Case**  
17 )  
18 vs. )  
19 )  
20 HEWLETT-PACKARD COMPANY, LEO )  
21 APOTHEKER, MARGARET C. WHITMAN, ) (Civil L.R. 3-12(b) and 7-11)  
22 CATHERINE A. LESJAK, and JAMES T. )  
23 MURRIN, ) Honorable Charles R. Breyer  
24 )  
25 Defendants.) Date Action Filed: November 26, 2012  
26 )  
27 )  
28 )

[Additional caption appearing on the next page]

1 ANDREA BASCHERI and JIM CHUNG, ) Case No. 12-cv-6091-SI  
derivatively on behalf of HEWLETT- )  
2 PACKARD COMPANY, ) Honorable Susan Illston  
3 )  
Plaintiffs,) Date Action Filed: November 30, 2012  
4 )  
vs. )  
5 )  
LEO APOTHEKER, MICHAEL LYNCH, )  
SHANE ROBISON, CATHERINE A. LESJAK,) )  
6 MARC L. ANDREESEN, SHUMEET )  
BANERJI, RAJIV L. GUPTA, JOHN H. )  
7 HAMMERGREN, RAYMOND J. LANE, ANN )  
M. LIVERMORE, GARY M. REINER, )  
8 PATRICIA F. RUSSO, G. KENNEDY )  
THOMPSON, MARGARET C. WHITMAN, )  
9 RALPH WHITWORTH, LAWRENCE T. )  
BABBIO, JR., DOMINIQUE SENEQUIER, )  
10 KPMG LLP, DELOITTE LLP, and DOES 1 )  
through 20, inclusive, )  
11 )  
Defendants,) )  
12 )  
- and - )  
13 )  
HEWLETT-PACKARD COMPANY, )  
14 )  
Nominal Defendant.)

1           Having considered the motion of Plaintiffs Andrea Bascheri and Jim Chung for  
2 consideration of whether *Bascheri v. Apotheker*, No. 12-cv-6091 (N.D. Cal.), and *Nicolow v.*  
3 *Hewlett-Packard Co.*, No. 12-cv-5980 (N.D. Cal.), are related under Civil L.R. 3-12(a), the  
4 Court finds that (1) some of the events and transactions giving rise to both cases are the same;  
5 (2) Hewlett-Packard Company, Leo Apotheker, Margaret C. Whitman, Catherine A. Lesjak,  
6 and James T. Murrin are parties in both cases; and (3) it appears likely that there will be an  
7 unduly burdensome duplication of labor and expense or conflicting results if the cases proceed  
8 before different judges.

9           Accordingly, plaintiffs' motion is granted. *Bascheri* is re-assigned and transferred to  
10 this Court.

11 Dated: \_\_\_\_\_, 2012

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Honorable Charles R. Breyer  
United States District Judge  
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